

Appl. No. 10/623,427
Amtdt. Dated April 24, 2006
Reply to Office Action of October 24, 2005

Docket No. CM03763J

Claim Status

Claims 1-182 were originally filed. Claims 73 – 182 were withdrawn by election in response to a restriction, and are hereby cancelled. Claims 1, 19, 42, and 44 have been rewritten. Claims 2-5, 7-8, 20-23, 25-26, 37-41, 43, 53-56, 58-59, 68-182 have been cancelled. Claims 1, 3-6, 9-19, 24, 28-36, 42, 44-52, 57, 60-67 remain in the application.

REMARKS/ARGUMENTS

All remaining independent claims 1, 19, and 42, and now cancelled claims 7-8, 25-26, and 58-59 were rejected under 35 USC 102(b) as being anticipated by Urbanski (US Patent 5,668,871).

Applicant has amended independent claims 1, 19, and 42 to include the subject matter of claims 7-8, 25-26, and 58-59, respectively, and including any intervening claims.

Claims 7-8, 25-26, and 58-59 claimed subject matter indicating how the voice activity detectors operate, and specifically claimed the limitation of using a voice envelope.

In rejecting these claims the Rejection cited Urbanski at FIG. 9, steps 902, 907-911; col. 13, lines 15-47; and col. 15, lines 22-26. Specifically the Rejection states that Urbanski compares the signal energy to a threshold. At col. 13, lines 30-31 Urbanski specifies that the threshold is compared to the present signal energy. Applicant's amended independent claims specify that the voice envelopes are a moving average, as described on page 10, in [00035].

Accordingly Applicant believes Urbanski no longer anticipates Applicant's remaining independent claims. The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

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The Commissioner is hereby authorized to charge any fee due, or credit any overpayment, to Motorola, Inc., Deposit Account Number 50-2117.

Respectfully submitted,

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